

Business Retention & Development Committee

**Monday, May 6, 2019
8:00 AM – 10:00 AM
Library Meeting Room
951 Spruce Street
(entry on the north side of building)**

- I. Call to Order
- II. Roll Call
- III. Approval of April 1, 2019 Minutes
- IV. Approval of Agenda
- V. Public Comments on Items Not on the Agenda
- VI. Business Matters of Committee
 1. Business Assistance Program review
 2. Louisville Business Forum Discussion
- VII. Council Liaison Update
- VIII. Retention Visits
 - Speedy Sparkle Car Wash
- IX. ED Report
- X. Reports from committee members –
- XI. Potential Discussion Items for Next Meeting: June 3, 2019
 - Transportation Master Plan
 - McCaslin Parcel O GDP Amendment
 - BRaD Position on LRC urban renewal funding policy (TIF, etc.)
- XII. Adjourn

LOUISVILLE ECONOMIC MISSION & GOALS

Provide guidance to the City Council on policies that foster a vibrant and thriving business community.

The goal is to ensure long-term revenue through the creation and promotion of a business-friendly climate, while maintaining a high quality of life for residents and workers.



Sustainable Revenue

- Diversify revenue sources
- Methodical long-term planning
- A culture of adaptability and responsiveness



Business Friendly

- Healthy Communication
- Efficient processes and decision making
- Supportive of existing business
- Proactively market and communicate to new biz



Quality of Life

- Create environment for high wage jobs
- Continue to protect, invest and market our amenities
- Continue to protect and invest in our community

***City Council
Business Retention and
Development Committee
Meeting Minutes***

**April 1, 2019
Library Meeting Room
951 Spruce Street
Louisville, CO 80027**

- I. CALL TO ORDER** –The meeting was called to order by Chair Oberholzer at 8:00 AM in the Library Meeting Room at the Louisville Public Library, 951 Spruce Street, Louisville, Colorado 80027.
- II. ROLL CALL** – The following members were present:

Committee Members Present:

Shelley Angell
Nicole Mansour
Steve Erickson
Mark Oberholzer
Todd Budin
Darryl LaRue

Council Liaisons:

Council Member Susan Loo

Absent Committee Members: Scott Reichenberg

Staff Present:

Aaron DeJong, Economic Development Director
Lisa Ritchie, Senior Planner–Planning & Bldg Safety Dept.
Rob Zuccaro, Director – Planning & Building Safety Director

Others Present:

Laura Levesque-Catalano Sustainability Advisory Board,
Jim Tienken, Randy Caranci, Mike Kransdorf, Mike Deborski

MEETING WAS CALLED TO ORDER BY COMMITTEE CHAIR OBERHOLZER

III. APPROVAL OF MARCH 4, 2019 MINUTES – On proper motion, the Committee approved the BRaD Committee minutes of March 4, 2019.

IV. APPROVAL OF AGENDA – Approved.

V. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA:

VI. BUSINESS MATTERS OF THE COMMITTEE:

1. 2019 Louisville Sign Code Update:

Senior Planner Lisa Ritchie provided the Committee with a review of the comprehensive update being conducted for the Louisville signage ordinances. Ms. Ritchie noted that the process would seek comment of the public and businesses, and would extend through the summer, with planned presentation to the City Council in the fall. Discussion / questions from the /committee and public included:

- How will the new ordinance handle sandwich boards and sidewalk signs;
- Will there be allowance for Grand Opening signs;
- Teardrop / feather and moving signs;
- Electronic Signs are the future of signage – updated signage code should not unduly restrict use / incorporation of electronic signs;
- Kiosk signs are ideal medium / site for electronic signs;
- Support allowing wall murals;

2. May Business Forum Discussion: Aaron DeJong informed the Committee that Dr. Richard Wobbekind had accepted the invitation to present as Keynote Speaker at the upcoming Louisville Business Forum. He is available the week of June 10. The Committee suggested targeting the Forum for:

- Date: Thursday morning June 13 (fall-back date of Wed June 12)
- Time: 8 am networking; Speaker kickoff 8:30 am; Finish 9:30 - 10
- Location: Louisville Rec Center

3. 2019 BRaD Topic Calendar. The Committee reviewed the suggested Topic Schedule provided in the agenda packet.

4. May 1, 2019 Open Government Training (6:30 City Hall). Members that have not attended the training within the last two years should attend. DeJong notified those who are due for the refresher.

VII. COUNCIL LIAISON UPDATE.

- Laura Levesque-Catalano, member of the Louisville Sustainability Advisory Board, informed the Committee about the Louisville Green Business program (flyer attached).
- Ms. Levesque-Catalano noted that Colorado business recycling has much room to improve. Ms. Levesque-Catalano circulated information regarding Colorado

Contractors Challenge to increase business recycling, and regarding RecycleColorado.Org promoting business and residential recycling.

- Councilperson Susan Lu noted that City Council was engaged in developing policy regarding the application of TIF assistance for private development. A recently approved redevelopment application (Terraces on Main) asked for TIF assistance approval, which the City Council tabled to allow development of specific policies for business assistance using the urban renewal TIF powers. City Council and LRC are scheduled to address the issue at a Tuesday May 14 Council study session.

VIII. RETENTION VISITS. No report.

IX. ED REPORT. Mr. DeJong referred Committee members to his Economic Development Update in the Committee packet. Mr. DeJong also noted that City Council approved a Business Assistance Package for Quicksilver Nutraceuticals.

X. REPORTS FROM COMMITTEE MEMBERS. None.

XI. POTENTIAL DISCUSSION ITEMS FOR NEXT MEETING. The Committee identified the following topics for potential discussion at the next meeting to be held on May 6, 2019:

- Transportation Master Plan
- McCaslin GDP Amendment
- BRaD Position on LRC urban renewal funding policy (TIF, etc.)

XII. ADJOURN – The meeting adjourned at 9:50 am.

SUBJECT: BUSINESS ASSISTANCE PROGRAM REVIEW AND ANALYSIS

DATE: MAY 6, 2019

PRESENTED BY: AARON DEJONG, ECONOMIC DEVELOPMENT

SUMMARY:

The memorandum summarizes the Business Assistance Policy in Section 3.24 of the Louisville Municipal Code, current implementation strategy for the BAP program, comparison of neighboring communities' assistance programs, and performance of businesses and projects that have received assistance from the Business Assistance Program.

BACKGROUND:

In January 2007, the City Council approved an ordinance establishing a business assistance program (BAP). This program was developed by the Business Retention and Development Committee. The program was approved by the City Council through Ordinance 1507 Series 2007. The ordinance describes the purpose of the BAP program as:

“The purpose of the BAP created by this chapter is to encourage the recruitment, retention, establishment and./or substantial expansion of sales tax generating businesses and employers within the city, thereby stimulate the economy of and within the city, providing employment for residents of the city and others, further expanding the goods and services available for purchase and consumption by businesses and residents of the city, and further increasing the sales taxes and fees collected by the city, which increased sales tax and fee collections will enable the city to provide expanded and improved municipal services to and for the benefit of the residents of the city, while at the same time providing public or public-related improvements at no cost, or at deferred cost, to the city and its taxpayers and residents.

The City's program offers four basic types of incentives, all of which are rebates of fees and taxes paid: sales tax, building permit fees, construction use taxes, and consumer use tax.

Sales Tax Rebates – If a business is going to bring new retail sales to the community, the City has the ability to incent the business to come to Louisville by rebating a portion of the City's general sales taxes back to the business. The rebate is on new sales and doesn't apply to existing sales in the community if the business is already located in Louisville. The timeframe for when the rebate applies to sales varies depending on the size and desirability of the new or expansion project.

Building Permit Fee Rebates – The City can rebate a portion of the building permit fees associated with a new building or remodel of an existing building to incent job creation or new retail sales. Louisville has generally offered rebates of 50% the cost of these fees. The rebates are paid only after the project has received a Certificate of Occupancy from the Building Safety Division.

Construction Use Tax Rebates – The materials used to construct a new building or remodel are subject to a construction use tax. The City can rebate a portion of these taxes to incent the project. These rebates are also paid out after the project has received a Certificate of Occupancy.

Consumer Use Tax Rebates – For some projects, the business needs to buy items needed to operate the business (i.e. furniture and equipment). These items are subject to a consumer use tax if they are purchased from outside the City for use in the City. The City can rebate a portion of these taxes if the project meets the program's qualifications.

DISCUSSION:

Current Strategy relating to BAP implementation

The BAP program focuses on attracting and expanding primary employers (businesses which produce goods or services greater than what the local economy can consume) and retailers (businesses primarily focused on sales to end users which collect sales taxes on sales) to town. Staff utilizes a business assistance application form to obtain project details from interested businesses.

Primary Employer Assistance Packages

In evaluating primary employer assistance applications, staff look at several metrics of the application to determine whether to recommend an assistance package to City Council for approval. The metrics are:

- 1) Are the jobs created and maintained earn a salary greater than the Boulder County average wage (Currently \$65,000 per year)?
- 2) Does the investment in Louisville real estate yield significant new revenues to the City?
- 3) Is the business in an industry that adds to job diversity or builds on an existing competitive advantage for the City?
- 4) Is the project a headquarters location for the business?

Primary employer packages typically include the following incentives to encourage the project:

- 50% rebate of the City's Building Permit fees
- 50% rebate of the City's Construction Use Taxes levied on the project

Due to the current growing economy in the region, staff has not been offering consumer use tax rebates to qualifying businesses as a part of an incentive package. Should

market conditions change and there are increases in the vacancy rate of commercial and industrial properties, it will be re-evaluated.

Retail Assistance Packages

Retail businesses in Louisville collect sales taxes for the City and is a significant portion of the City's revenues (2018 estimate is 54.5% of all tax revenue). The BAP program encourages retailers to locate or expand in town that will increase sales tax revenues for the City. Projects that tend to be recommended to City Council for approval are:

- 1) Existing Louisville retailers expanding their operations to facilitate greater sales at the location
- 2) New retailers looking to locate in Louisville within new retail buildings being constructed in town or in properties having been vacant for a significant period of time.

Retail assistance packages typically offer the following incentives:

- 50% rebate of the City's Building Permit fees
- 50% rebate of the City's Construction Use Taxes levied on the project
- 40% rebate of the City's general 3% sales tax levied on new sales delivered through the project. This incentive is usually a two-year incentive, but could be more depending on the level of investment and potential revenue for the City.

BAP Program Performance

Since 2007, the City Council has approved 72 assistance packages. Of this total, 54 are on-going or completed. Eighteen of these agreements either did not result in the business or project coming to Louisville or the business or project did not meet the requirements to receive the assistance (i.e. didn't occur in the timeframe specified in the agreement).

Staff analyzed several sources of data to evaluate the effect the Business Assistance Program has had on the Louisville economy:

- Permit fees paid and construction values were obtained from Building Services department files. These values include construction costs of new buildings (if applicable) and any tenant finishes which were directly related to project incented by the Business Assistance Package. This includes projects that have paid their permits and fees, but have not been rebated.
- The amount of incentives paid out from Assistance Agreements through April 2019.
- Jobs and wage data obtained from the State of Colorado's Quarterly Census of Employment and Wages (QCEW) data from year 2018. This information is confidential at the business level, but can be provided in aggregate to prevent distribution of information about a particular business. Some businesses that are in operation have not hit the database as of the end of 2017. Those businesses will likely show up in next year's reporting.

This analysis is a snapshot of the program as of April 2019. Several projects have not begun or are in the middle of construction so the full effect of the projects have yet to be documented.

The analysis separates the projects into retail and commercial categories, as a main goal of incenting retail is to encourage new sales in the community, and incenting commercial projects is to encourage high quality primary job growth. The following table outlines the critical data points associated with the projects offered assistance by the City.

Table 1: Summary of Incentives and Benefits from Business Assistance Packages

	Retail	Commercial	Total
Incentives Paid	\$ 1,638,891	\$ 1,053,248	\$ 2,692,140
Retained Jobs	30	1,438	1,468
Created Jobs	517	1,442	1,959
Total Jobs	547	2,880	3,427
Total Annual Wages	\$ 13,108,972	\$ 248,573,164	\$ 261,682,136
Average Wage/Salary	\$ 23,987	\$ 86,310	\$ 76,370
Annual Sales Tax	\$ 1,038,533	N/A	\$ 1,038,533
Permit Fees Paid	\$ 445,111	\$ 2,604,921	\$ 3,050,032
Construction Cost	\$ 15,338,309	\$ 59,508,893	\$ 74,847,203
Incentives per Job	\$ 2,999	\$ 366	\$ 786
Annual Sales Tax \$ per Incentive	\$ 0.63	N/A	N/A
Construction \$ per Incentive	\$ 9.36	\$ 56.50	\$ 27.80

For the retail projects, every dollar of incentives provided to the retail projects has leveraged \$.63 of new annual sales tax revenue to the City. Total annual sales tax receipts to the City total \$1,038,533. The retail projects have created 517 new jobs with an average wage of \$23,987. These are typically part-time positions and wages tend to be lower in the retail sector.

The commercial projects have retained 1,438 jobs and created 1,442 new jobs in Louisville, resulting in total employment from these projects 2,880 jobs. The average annual wage for these jobs is \$86,310. The average incentive paid to create or retain a primary job is \$366.

The Business Assistance Packages have encouraged improvements to property totaling \$74,847,203 either through tenant improvements or new construction. Every dollar of incentive paid out through the program has leveraged \$27.80 of improvements to property in Louisville.

Overall, the program has encouraged significant job growth, new sales tax revenue, and investments in property in the community. The program has provided more assistance to retail projects, but long-term retail projects provide an on-going source of revenue to the City. The incentive per job of \$366 to encourage primary job growth is an excellent value given the benefit high-paying jobs provide to the economic condition of the area. The paid incentives leverage a significant amount of improvement to property. These improvements boost the property tax revenue to the City, School District, Boulder County and Louisville Fire Protection District.

There are 54 active or complete Business Assistance Packages approved by the City Council since 2007. These BAPs have resulted roughly \$2,692,140 in total incentives paid by the City, generate roughly \$1,038,000 annually in new sales tax revenue to the City, have stimulated over \$74 million in new private capital investment, and helped create or retain 3,400 jobs, with almost 84% of those jobs paying an average wage of about \$86,000 annually.

FISCAL IMPACT:

Because all financial assistance under the program is a rebate of taxes and fees paid, the City has no annual budgeted amount for the program and incentives are intended to be offset by the additional revenue resulting from business retentions, expansions or relocations that happen in Louisville.

RECOMMENDATION:

Staff would like the BRaD Committee to discuss the BAP program and its results.

ATTACHMENT(S):

- 1) Staff Presentation
- 2) Business Assistance Policy, Section 3.24 of the Louisville Municipal Code
- 3) Current BAP Application Form



Business Assistance Program Analysis

Aaron DeJong
Economic Development Director



BAP Analysis

- BAP Program began in 2007
 - 72 Total Agreements
 - 54 either completed/underway
 - 17 are Retail
 - 37 are Commercial/Industrial
 - 18 projects were not advanced
- BAP Agreements are typically rebates of:
 - Sales Tax Rebates
 - Building Permit Fees
 - Construction Use Tax Rebates
 - Consumer Use Tax Rebates



Strategy

- Primary Employer Packages
 - Are the jobs created and maintained earn a salary greater than the Boulder County average wage (Currently \$65,000 per year)?
 - Does the investment in Louisville real estate yield significant new revenues to the City?
 - Is the business in an industry that adds to job diversity or builds on an existing competitive advantage for the City?
 - Is the project a headquarters location for the business?



Strategy

- Retail Packages
 - Existing Louisville retailers expanding their operations to facilitate greater sales at the location
 - New retailers looking to locate in Louisville within new retail buildings being constructed in town or in properties having been vacant for a significant period of time.

BAP Analysis



• Data for the Analysis came from several sources:

- Building Department permits and fees
- 2016 Sales Tax Data
- State Quarterly Employment Census Data
 - 2016

BAP Analysis



• Key statistics for Retail projects;

- For every \$1 in one-time rebates, businesses generate \$.63 in annual sales tax revenue
- Businesses that received BAPs generated \$1,038,533 in sales tax in 2018
- 517 new retail jobs averaging \$23,987

BAP Analysis



• Key statistics for Commercial / Industrial projects:

- Retained 1,438 jobs
- Created 1,442 jobs (total is 2,880 jobs)
- Average annual wage is \$86,310
 - \$21,000 greater than the County average wage
- Average incentive per job is \$366

Summary



• Encouraged significant growth and investment

• Incentives are more to retail, but city benefits from retail greater.

- Encourages on-going revenue stream

• Incented primary job creation significantly higher than the Boulder County average wage.

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Chapter 3.24 TAX AND FEE BUSINESS ASSISTANCE PROGRAM

Chapter 3.24 TAX AND FEE BUSINESS ASSISTANCE PROGRAM

[Sec. 3.24.010. Established.](#)

[Sec. 3.24.020. Purpose.](#)

[Sec. 3.24.030. Definitions.](#)

[Sec. 3.24.040. Basis for participation.](#)

[Sec. 3.24.050. Approval of agreement; conditions; effect.](#)

[Sec. 3.24.060. Permitted use of funds.](#)

[Sec. 3.24.070. BAP payments.](#)

[Sec. 3.24.080. Existing tax revenue sources unaffected.](#)

[Sec. 3.24.090. Criteria for approval.](#)

[Sec. 3.24.100. Agreement with city; required; contents.](#)

[Sec. 3.24.110. Findings.](#)

Sec. 3.24.010. Established.

There is established within the city a Tax and Fee Business Assistance Program ("BAP").

(Ord. No. 1507-2007, § 1, 1-16-2007)

Sec. 3.24.020. Purpose.

The purpose of the BAP created by this chapter is to encourage the recruitment, retention, establishment and/or substantial expansion of sales tax generating businesses and employers within the city, thereby stimulating the economy of and within the city, providing employment for residents of the city and others, further expanding the goods and services available for purchase and consumption by businesses and residents of the city, and further increasing the sales taxes and fees collected by the city, which increased sales tax and fee collections will enable the city to provide expanded and improved municipal services to and for the benefit of the residents of the city, while at the same time providing public or public-related improvements at no cost, or at deferred cost, to the city and its taxpayers and residents.

(Ord. No. 1507-2007, § 1, 1-16-2007)

Sec. 3.24.030. Definitions.

As used in this chapter and all sections thereof, the following phrases shall have the following meanings:

Applicant means the owner(s) of real property upon which a business is operated or proposed, or the operator of a business located or proposed to be located within the city.

Enhanced sales tax means the amount of sales tax collected by the city over and above a base amount negotiated by, and agreed upon by, the applicant and the city, and which amount is approved by

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the city council, which base amount shall never be lower than the amount of sales taxes collected by the city at the property in question in the previous 12 months.

Fees means the amount of building permit fees and construction use taxes collected by the city during the construction permitting process for initial construction of a project participating in the BAP created under this chapter.

Operator means the owner or potential owner of a business that is eligible for inclusion in the BAP created by this chapter.

Owner means the record owner or potential record owner of real property upon which one or more business is operated.

(Ord. No. 1507-2007, § 1, 1-16-2007; Ord. No. 1571-2010, § 1, 5-4-2010)

Sec. 3.24.040. Basis for participation.

Participation in the BAP shall be based upon approval by a majority of the entire city council, exercising its legislative discretion in good faith. Any owner or operator of a proposed business, or the owner or operator of an existing business which proposes to expand substantially, may apply to the city for inclusion within the BAP, provided that the proposed new or expanded business is reasonably likely to generate enhanced or increased sales taxes, permit fees and/or construction use taxes within the city in the first year of operation. Application for inclusion in the BAP must be made prior to the proposed opening, acquisition or expansion.

(Ord. No. 1507-2007, § 1, 1-16-2007)

Sec. 3.24.050. Approval of agreement; conditions; effect.

Approval by the city council of an agreement implementing the BAP shall entitle the successful applicant to share in enhanced sales taxes and fees derived from the applicant's property or business in an amount which shall not exceed that amount specified in the agreement required by [section 3.24.100](#); provided, however, that the applicant may use said amounts only for public or public-related improvements such as those specified in [section 3.24.060](#) and which are expressly approved by the city council at the time of consideration of the application. The time period in which said enhanced sales taxes or fees may be shared shall not commence until all public or public-related improvements are completed and meet city standards, and shall be limited by the city council, in its discretion, to a specified time, which shall not exceed ten years, or until a specified amount is reached.

(Ord. No. 1507-2007, § 1, 1-16-2007)

Sec. 3.24.060. Permitted use of funds.

- A. The uses to which said shared enhanced sales taxes or fees may be put by an applicant shall be strictly limited to obligations and/or improvements which are public or public-related in nature, and which are specifically identified as eligible for BAP funding as part of the agreement required by [section 3.24.100](#) and which, if required by the city, are subject to a subdivision agreement or development agreement executed pursuant to, respectively, [section 16.12.100](#) or [section 17.28.260](#) of this code.
- B. By way of example and not limitation, eligible obligations and improvements which are public or public-related in nature include streets, sidewalks, curbs, gutters, pedestrian malls, street lights, drainage facilities, landscaping, decorative structures, redevelopment of existing properties, occupancy of existing vacant space, expansion or creation of jobs in the city, public art, fountains, identification signs, traffic safety devices, bicycle paths, off-street parking facilities, benches,

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restrooms, information booths, public meeting facilities, and all necessary, incidental, building facades, architectural enhancements, and appurtenant structures and improvements, together with the relocation, extension, undergrounding or improvement of existing utility lines, and any other improvements of a similar nature which are specifically approved by the city council.

- C. Nothing in this chapter shall limit the city council from appropriating additional capital improvement funds for capital improvements directly or indirectly affecting the property in question as a part of the city's regular appropriation, capital improvement, or budget process.

(Ord. No. 1507-2007, § 1, 1-16-2007)

Sec. 3.24.070. BAP payments.

- A. For BAP agreements utilizing enhanced sales tax incentives, payments shall be made no less than annually and no more than quarterly, as the city and applicant shall agree. For such payments, the base figure (which may be stated as a percentage or fixed dollar amount) shall be divided by the number of agreed-upon payments per year and adjusted for seasonal variations as the parties may agree. If in any period the agreed-upon base figure is not met by applicant and, thus, no enhanced sales taxes are generated for that period, then no funds shall be shared with the applicant for such period and no increment shall be shared until that deficit, and any other cumulative deficit, has been met, so that at the end of any 12-month cycle, funds in excess of those enhanced sales taxes agreed to be shared shall not have been shared with any applicant.
- B. For BAP agreements utilizing fees, payments shall be made in either incremental payments or a lump-sum payment as provided in the agreement approved by the city council. Such payments shall commence no earlier than issuance of a certificate of occupancy for the subject location and satisfaction of the requirements of this chapter and of the agreement.
- C. No interest shall be paid on any amounts shared pursuant to any BAP agreement.

(Ord. No. 1507-2007, § 1, 1-16-2007)

Sec. 3.24.080. Existing tax revenue sources unaffected.

- A. It is an overriding consideration and determination of the city council that existing sources of city sales tax and fee revenues shall not be used, impaired or otherwise affected by the BAP. Therefore, it is conclusively determined that only enhanced sales taxes and fees generated by the properties or businesses described in an approved BAP application shall be subject to division under the BAP. It shall be the affirmative duty of the finance director of the city to collect and hold all such enhanced sales taxes and fees to be shared in a separate account apart from the sales taxes and fees generated by and collected from other sources in the city and to provide an accounting system which accomplishes the overriding purpose of this chapter. It is conclusively stated by the city council that this chapter would not be adopted or implemented but for the provision of this section.
- B. Without limiting the foregoing subsection A of this section, it is conclusively stated that there shall be excluded from the BAP and any BAP agreement all revenues from (i) the temporary three-eighths percent sales and use taxes imposed for the ten-year period beginning on January 1, 2004, to be used for open space and related purposes as authorized by the registered electors of the city and set forth in [Chapter 3.20](#) of this Code; and (ii) the temporary one-eighth of one percent sales tax for historic preservation purposes imposed for the ten-year period beginning on January 1, 2009 as set forth in [Section 3.20.605](#) of this Code. Such revenues shall not be used, impaired or otherwise affected by the BAP.

(Ord. No. 1507-2007, § 1, 1-16-2007; Ord. No. 1571-2010, § 2, 5-4-2010)

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Sec. 3.24.090. Criteria for approval.

Approval of an application for inclusion in the BAP shall require the affirmative vote of four members of the city council, at a public hearing held as a portion of a regularly scheduled city council meeting, based upon city council consideration of the following criteria:

- A. The amount of enhanced sales taxes which are reasonably to be anticipated to be derived by the city—whether by retention of taxes, creation of new taxes, or a combination thereof—through the expanded or new retail sales tax generating business;
- B. The public benefits which are provided by the applicant through public works, public or public-related improvements, additional and/or retained jobs and employment opportunities for city residents and others, etc.;
- C. The quality of the proposed development;
- D. Whether the proposal utilizes an existing building(s);
- E. Whether the proposal complements existing Louisville businesses (i.e. a buyer or supplier that serves an existing business in the city);
- F. Whether the proposal represents redevelopment to an area or building in the city;
- G. Whether the proposal represents job diversity in industry sectors and is part of a growing industry;
- H. The proposal's contribution to the diversity of retail or to the diversity of jobs or employment opportunities within the city;
- I. Whether the proposal brings a value added result to the city or a development within the city (for example, by moving the company's corporate headquarters to the city);
- J. The amount of the business assistance as a percentage of new revenue anticipated to be created by the proposal (for example, by relocation the company to Louisville);
- K. The amount of expenditures which may be deferred by the city based upon public or public-related improvements to be completed by the applicant;
- L. The conformance of the applicant's property or project with the comprehensive plan and zoning ordinances of the city; and
- M. Whether a proposed agreement required by [section 3.24.100](#) has been reached, which agreement shall contain and conform to all requirements of said [section 3.24.100](#)

(Ord. No. 1507-2007, § 1, 1-16-2007)

Sec. 3.24.100. Agreement with city; required; contents.

Each application for approval submitted to the city council shall be subject to approval by the city council solely on its own merits. Approval of an application shall require that an agreement be executed by the applicant and the city, which agreement shall, at a minimum, contain:

- A. A list of those public or public-related improvements which justify the application's approval, and the amount which shall be spent on such improvements;
- B. The maximum amount of enhanced sales taxes or fees to be shared, the timing of payment of any such shared taxes or fees, and the maximum time during which the agreement shall continue, it being expressly understood that any such agreement shall expire and be of no further force and effect upon the occurrence of the earlier to be reached of the maximum time of the agreement (whether or not the maximum amount to be shared has been reached) or the maximum amount to be shared (whether or not the maximum time set forth has expired);

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- C. A statement that the agreement is a personal agreement which does not run with the land;
- D. A statement that the agreement shall never constitute a multi-year fiscal obligation, debt or other obligation of the city within the meaning of any constitutional or statutory provision;
- E. The base amount which is agreed upon and the timing of periodic payments of enhanced sales taxes to be shared and the fact that if, in any period as specified, sales taxes received from the property do not at least equal said base amount, there shall be no sharing of sales taxes for said period, and that any deficit for any such period shall be carried over to succeeding periods until the difference between the base amount and the amount of sale tax actually paid is recovered by the city;
- F. The base amount shall be agreed upon which shall consider the historic level of sales at the property in question, or a similar property within the area in the event of a new business, and a reasonable allowance for increased sales due to the improvements and upgrades completed as a result of inclusion within the BAP;
- G. A provision that any enhanced sales taxes or fees subject to sharing shall be escrowed in the event there is a legal challenge to the BAP or the approval of any application therefor;
- H. An affirmative statement that the obligations, benefits and provisions of the agreement may not be assigned in whole or in any part without the expressed written authorization of the city council, and further that no third party shall be entitled to rely upon or enforce any provision of the agreement;
- I. A statement that the agreement shall be subject to the annual appropriation of sufficient funds for payments as provided in this chapter, pursuant to Section 20, Article X of the Colorado Constitution;
- K. A statement that the applicant shall have no right, claim, lien or priority in or to the city's sales or use tax revenue superior to or on parity with the rights, claims or liens of the holders as any sales or use tax revenue bonds, notes, certificates or debentures payable from or secured by any sales or use taxes, existing or hereafter issued by the city; and that all rights of the successful applicant are, and at all times shall be, subordinate and inferior to the rights, claims and liens of the holders of any and all such existing or hereafter issued sales and use tax revenue bonds, notes, certificates or debentures, payable from or secured by any sales or use taxes issued by the city; and
- L. Any other provisions agreed upon by the parties and approved by the city council.

(Ord. No. 1507-2007, § 1, 1-16-2007)

Sec. 3.24.110. Findings.

The city council has enacted this chapter as a joint benefit to the public at large and to private owners for the purposes of: providing the city with increased sales tax and fee revenues generated upon and by properties improved as a result of the BAP program; providing incentives for businesses to expand or create additional jobs within the city; providing for public and public-related improvements to be completed by private owners through no debt obligation being incurred on the part of the city, and allowing applicants an opportunity to improve properties which generate sales taxes, which improvements make those properties more competitive in the marketplace; and further providing to the applicant additional contingent sources of revenues for upgrading such properties. The city council specifically finds and determines that creation of the BAP is consistent with the city's powers as a home rule municipal corporation, and that exercise of said powers in the manner set forth in this chapter is in furtherance of the public health, safety and welfare. Notwithstanding any provision of this chapter, the city shall never be a joint venturer in any private entity or activity which participates in the BAP, and the city shall never be liable or responsible for any debt or obligation of any participant in the BAP.

(Ord. No. 1507-2007, § 1, 1-16-2007)



CITY OF LOUISVILLE

749 Main Street, Louisville, CO 80027 (303) 335-4533

BUSINESS ASSISTANCE REQUEST

Please return the information requested and the answers to the questions below to the City of Louisville, 749 Main Street, Louisville, Colorado, 80027, Attention: Economic Development Director.

Project Information:

- What is the name of the project?
- What is the location of the project?
- What is the size of the project?
- If new construction, what is the estimated building valuation (core and shell only) of the project?
- If this is tenant finish, what is the estimated tenant finish (not including furniture, fixtures, and equipment)?
- Is the project an expansion or a relocation of the current business?
- Will the project occupy existing space or construct a new space?
- When is a decision anticipated on the project location?
- When is construction anticipated to begin?
- When is construction anticipated to be completed?
- What other areas are being considered for this project?

Please give location addresses and available financial information to compare to the identified Louisville location.

Owner's Contact Information:

Name of Business

Business Address

Phone:

Fax:

Email:

President or CEO of the Business:

Name of the Applicant:

Employee and Payroll Information:

- What is the number of employees at move-in?
- What is the projected number of employees within the first five (5) years of operation?
- What is the annual payroll (not including benefits) at move-in?
- What is the annual payroll (not including benefits) within the first years of operation?
- What is the average job salary per year?

Company Profile:

- Describe what service or product your company provides
- Provide general background on the company
- Provide website information (if applicable)

Sales Tax Projections:

If this is a retail/commercial business, please complete the following:

- What are the gross retail sales projections in the first full year of operation?
- What are the gross retail sales projections in the first five years of operation, per year?

SUBJECT: SPRING 2019 BUSINESS FORUM DISCUSSION

DATE: MAY 6, 2019

PRESENTED BY: AARON DEJONG, ECONOMIC DEVELOPMENT

SUMMARY:

Staff would like the BRaD committee to continue discussing the Spring 2019 Louisville Business Forum, scheduled for June 13, 2019 at 8am. Below are components of the event the Committee should provide input.

Topic

Dr. Rich Wobbekind at the Leeds School of Business has agreed to present his 2019 Business Outlook. Having him should garner good participation from businesses in town. Staff is meeting with Rich this week to discuss the event and figure out the various components of his presentation will be focused on for the Louisville business community.

Location

We have reserved the multi-purpose room at the Louisville Recreation Center. The room can accommodate 100-150 attendees so will be big enough for the expected attendance. Staff will coordinate a light breakfast offering for attendees.

Dates

June 13, 2019 from 8 am – 10 am.

Format

8:00 – Start networking / finding seats / light breakfast.

8:30 – Begin presentation

9:15 – finish presentation and start Q & A

9:40 – Wrap up Q & A

10:00 – End of event

Marketing

Staff is setting up the Eventbrite registration and first email blast will go out this week. Planning on two additional blasts prior to the event.

SUBJECT: ECONOMIC DEVELOPMENT UPDATE

DATE: MAY 6, 2019

PRESENTED BY: AARON DEJONG, ECONOMIC DEVELOPMENT

Tax Increment Financing (TIF) 101 for City Council on May 14, 2019

The City Council has requested a "TIF 101" topic for their May 14, 2019 meeting. The Louisville Revitalization Commission (LRC) recently had a similar discussion. The information provided gives an overview of Colorado Urban Renewal Law, implementation of Tax Increment Financing (TIF), and related documents among governmental entities in Louisville as it relates to urban renewal implementation.

Acme Fine Goods to open in Downtown Louisville

A local Louisville resident, Eric Reed, is opening Acme Fine Goods at 915 Walnut Street, the former location of the Walnut Street Gallery. Acme Fine Goods will be a men's active wear and sporting accessories purveyor.

Remax Elevate opened May 1, 2019

Remax Elevate, a brokerage started up by Jay Kalinski, opened on May 1, 2019 in the former Book Cellar space on Main Street. Kalinski recently purchased the building.